

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States District Court
Southern District of Texas
FILED

CRIMINAL COMPLAINT

Jose Ernesto Rodriguez-Torres *PRINCIPAL*
A205 640 098 YOB: 1986
Mexico

Case Number:

SEP 05 2014

M-14-1743-M

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 4, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Irvin Lopez-Mejia, citizen and national of Mexico, and Jose Ivan Hernandez-Ramos, citizen and national of El Salvador, along with eleven (11) other undocumented aliens for a total of thirteen (13), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Edinburg, Texas to the point of arrest near San Manuel, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 4, 2014, Border Patrol Agent (BPA) N. Mireles was observing northbound traffic for illegal activity on Highway 281 from a high vantage point. While doing so, he noticed a black Ford F-150 which appeared to be riding low in the rear and contained multiple occupants in the cab area. BPA Mireles also noticed a black piece of plywood was in the bed area and was being utilized to cover something.

BPA J. Tursi was also on patrol and observed the vehicle described by BPA Mireles pass his location. BPA Tursi proceeded to drive alongside the truck and observed multiple subjects in the cab area making an attempt to conceal themselves. BPA Tursi saw the black plywood in the bed and tried to get closer for a better observation but was unsuccessful. When he did so, the driver changed lanes rapidly and swerved away to prevent the Agent from getting closer. At that time, BPA Tursi suspected the truck was involved in illegal activity and activated his emergency lights for an immigration inspection. **SEE ATTACHED:**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by
Joseph Leonard

Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

September 5, 2014

Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-1743-M

RE: Jose Ernesto Rodriguez-Torres

A205 640 098

CONTINUATION:

The truck then drove off the highway onto the shoulder and two subjects fled from the truck. Thirteen subjects were found in the truck and all admitted to being illegally present in the U.S. After a short search, one of the two subjects that fled was apprehended. The subject apprehended, identified as Jose Ernesto Rodriguez-Torres, was the same person Agents observed attempt to abscond through the driver's side door. All of the subjects were then transported for processing and further questioning.

Based on material witness statements and his own admission, Rodriguez was linked to alien smuggling in this case.

Principal Statement:

Jose Ernesto Rodriguez-Torres was read his Miranda Rights and provided a statement. Rodriguez claimed to be a citizen of Mexico and illegally entered into the U.S. He received a call from a subject and was instructed to wait at the Stripes store in Edinburg. The person making the arrangements then arrived with all of the illegal aliens and Rodriguez took over as the driver for the undocumented aliens. He admitted he was going to be paid \$400 for his participation.

Material Witness Statements:

Irvin Lopez-Mejia claimed to be a citizen of Mexico. He stated he paid \$1,500 as a smuggling fee and arranged to pay an additional \$1,500 once he arrived in Houston, Texas. After his entry, he was taken to two stash houses and ultimately boarded a black Ford-F150 to be transported north. Lopez identified Jose Ernesto Rodriguez-Torres as the driver of the truck he boarded.

Jose Ivan Hernandez-Ramos claimed to be a citizen of El Salvador. He stated he paid \$4,000 as an advance to be smuggled into the U.S. and arranged to pay an additional \$3,000 once he reached his destination. Hernandez stated he was taken to a stash house and ultimately picked up by a black truck to be taken up north. Hernandez further stated he sat behind the driver and identified Jose Ernesto Rodriguez-Torres as the driver.